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In re application of:

LI *et al.*

Appl. No. 10/067,974

Filed: February 8, 2002

For: **Polynucleotide Constructs For
Increased Lysine Production**

Confirmation No. 3799

Art Unit: 1645

Examiner: *To be assigned*

Atty. Docket: 1533.2640001/MAC/M-G

#7/RW
01-16-03

Second Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

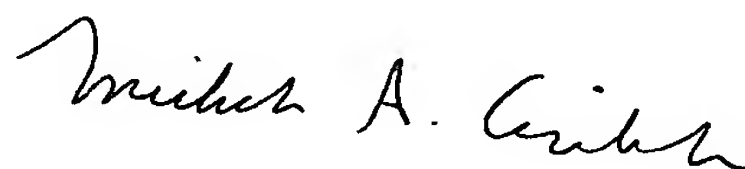
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

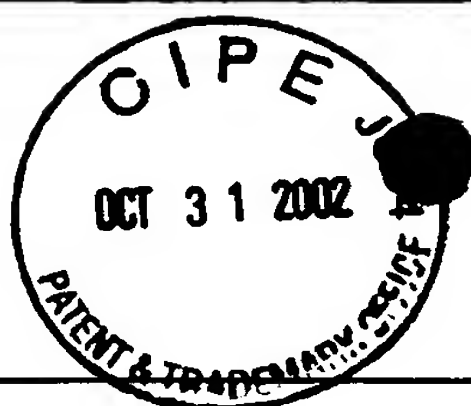
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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FORM PTO-1449
SECOND SUPPLEMENTAL
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	AL						Yes No
	AM1	EP 0 857 784 A2	08/12/1998	Europe			Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	2	Anonymous, "Advances in the Biotechnology of Lysine Production," Nutr. Rev. 43:88-90, International Life Sciences Institute (1985)
	AS	2	Bannur, B.B., and Purandare, G.M., "Microbial Production of L-lysine," Hind. Antibiot. Bull. 11:191-205, Hindustan Antibiotics Ltd. (1969)
	AT	2	Batt, C.A., et al., "Genetic engineering of coryneform bacteria," Trends Biotechnol. 3:305-310, Elsevier Science Publishers (1985)

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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	3	Chatterjee, M., and Chatterjee, S.P., "Microbial Production of L-lysine: A Review," <i>Hind. Antibiot. Bull.</i> 39:20-49, Hindustan Antibiotics Ltd. (1997)
	AS	3	Correia, A., et al., "Cloning and characterization of an IS-like element present in the genome of <i>Brevibacterium lactofermentum</i> ATCC 13869," <i>Gene</i> 170:91-94, Elsevier Science (1996)
	AT	3	Cremer, J., et al., "Regulation of Enzymes of Lysine Biosynthesis in <i>Corynebacterium glutamicum</i> ," <i>J. Gen. Microbiol.</i> 134:3221-3229, Society for General Microbiology (1988)

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	AR	<u>4</u>	Cremer, J., et al., "Cloning the <i>dapA dapB</i> cluster of the lysine-secreting bacterium <i>Corynebacterium glutamicum</i> ," <i>Mol. Gen. Genet.</i> 220:478-480, Springer-Verlag (1990)
	AS	<u>4</u>	Eikmanns, B.J., et al., "Amplification of three threonine biosynthesis genes in <i>Corynebacterium glutamicum</i> and its influence on carbon flux in different strains," <i>Appl. Microbiol. Biotechnol.</i> 34:617-622, Springer-Verlag (1991)
	AT	<u>4</u>	Eikmanns, B.J., et al., "Molecular aspects of lysine, threonine, and isoleucine biosynthesis in <i>Corynebacterium glutamicum</i> ," <i>Antonie van Leeuwenhoek</i> 64:145-163, Kluwer Academic Publishers (1993)

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	AR	<u>5</u>	Follettie, M., and Sinskey, A.J., "Corynebacterium glutamicum: A Model for the Use of DNA Technology in Food Grade Organisms," in <i>Biotechnology and Food Safety</i> , Bills, D.D., and Kung, S.D., eds., Butterworth-Heinemann, Boston, MA, pp. 277-289 (1990)
	AS	<u>5</u>	Follettie, M.T., et al., "Gene Structure and Expression of the <i>Corynebacterium flavum</i> N13 ask-asd Operon," <i>J. Bacteriol.</i> 175:4096-4103, The American Society for Microbiology (1993)
	AT	<u>5</u>	Frankard, V., et al., "Molecular characterization of an <i>Arabidopsis thaliana</i> cDNA coding for a monofunctional aspartate kinase," <i>Plant Mol. Bio.</i> 34:233-242, Kluwer Academic Publishers (1997)

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	AR	<u>6</u>	Huang, H.T., "Microbial Production of Amino Acids," in <i>Progress in Industrial Microbiology</i> (Volume 5), Hockenhull, D.J.D., ed., Gordon & Breach Science Publishers, Great Britain, pp. 57-92 (1964)
	AS	<u>6</u>	Ishino, S., et al., "Cloning and Sequencing of the meso-Diaminopimelate-D-dehydrogenase (ddh) Gene of <i>Corynebacterium glutamicum</i> ," <i>Agric. Biol. Chem.</i> 52:2903-2909, The Agricultural Chemical Society of Japan (1988)
	AT	<u>6</u>	Jetten, M.S.M., et al., "Metabolic Engineering of <i>Corynebacterium glutamicum</i> ," <i>Ann. NY Acad. Sci.</i> 721:12-29, The New York Academy of Sciences (1994)

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	AR	7	Jetten, M.S.M., et al., "Effect of different levels of aspartokinase on the lysine production by <i>Corynebacterium lactofermentum</i> ," Appl. Microbiol. Biotechnol. 43:76-82, Springer-Verlag (1995)
	AS	7	Jetten, M.S.M., and Sinskey, A.J., "Recent Advances in the Physiology and Genetics of Amino Acid-Producing Bacteria," Crit. Rev. Biotechnol. 15:73-103, CRC Press (1995)
	AT	7	Kalinowski, J., et al., "Aspartokinase genes <i>lysCα</i> and <i>lysCβ</i> overlap and are adjacent to the aspartate β -semialdehyde dehydrogenase gene <i>asd</i> in <i>Corynebacterium glutamicum</i> ," Mol. Gen. Genet. 224:317-324, Springer-Verlag (1990)

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	AR	8	Kalinowski, J., et al., "Genetic and biochemical analysis of the aspartokinase from <i>Corynebacterium glutamicum</i> ," <i>Mol. Microbiol.</i> 5:1197-1204, Blackwell Scientific Publications (1991)
	AS	8	Kinoshita, S., et al., "L-Lysine Production Using Microbial Auxotroph," <i>J. Gen. Appl. Microbiol.</i> 4:128-129, The Institute of Applied Microbiology (1958)
	AT	8	Liebl, W., et al., "Transfer of <i>Brevibacterium divaricatum</i> DSM 20297 ^T , " <i>Brevibacterium flavum</i> " DSM 20411, " <i>Brevibacterium lactofermentum</i> " DSM 20412 and DSM 1412, and <i>Corynebacterium lilium</i> DSM 20137 ^T to <i>Corynebacterium glutamicum</i> and Their Distinction by rRNA Gene Restriction Patterns," <i>Int. J. Syst. Bacteriol.</i> 41:255-260, International Union of Microbiological Societies (1991)

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	AR	2	Martin, J.F., et al., "Cloning Systems in Amino Acid-Producing Corynebacteria," <i>Biotechnology</i> 5:137-146, Nature Publishing Co. (1987)
	AS	2	Miwa, K., et al., "Construction of L-Threonine Overproducing Strains of <i>Escherichia coli</i> K-12 Using Recombinant DNA Techniques," <i>Agric. Biol. Chem.</i> 47:2329-2334, The Agricultural Chemical Society of Japan (1983)
	AT	2	Miwa, K., et al., "Construction of novel shuttle vectors and a cosmid vector for the glutamic acid-producing bacteria <i>Brevibacterium lactofermentum</i> and <i>Corynebacterium glutamicum</i> ," <i>Gene</i> 39:281-286, Elsevier Science Publishers (1985)

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	AR	<u>10</u>	Nakayama, K., et al., "Studies on Lysine Fermentation I. The Control Mechanism on Lysine Accumulation by Homoserine and Threonine," <i>J. Gen. Appl. Microbiol.</i> 7:145-154, The Institute of Applied Microbiology (1961)
	AS	<u>10</u>	Nakayama, K., and Kinoshita, S., "Studies on Lysine Fermentation II. α , ϵ -Diaminopimelic Acid and its Decarboxylase in Lysine Producing Strain and Parent Strain," <i>J. Gen. Appl. Microbiol.</i> 7:155-160, The Institute of Applied Microbiology (1961)
	AT	<u>10</u>	Sahm, H., et al., "Construction of L-Lysine-, L-Threonine-, or L-Isoleucine-Overproducing Strains of <i>Corynebacterium glutamicum</i> ," <i>Ann. N Y Acad. Sci.</i> 782:25-39, The New York Academy of Sciences (1996)

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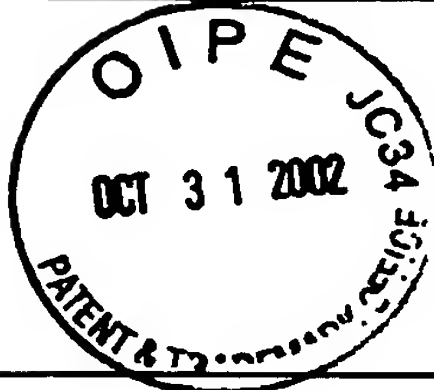
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	AR	<u>11</u>	Sandoval, H., et al., "Screening of plasmids in non-pathogenic corynebacteria," <i>FEMS Microbiol. Lett.</i> 27:93-98, Elsevier Science Publishers (1985)
	AS	<u>11</u>	Schäfer, A., et al., "High-Frequency Conjugal Plasmid Transfer from Gram-Negative <i>Escherichia coli</i> to Various Gram-Positive Coryneform Bacteria," <i>J. Bacteriol.</i> 172:1663-1666, American Society for Microbiology (1990)
	AT	<u>11</u>	Schrumpf, B., et al., "A Functionally Split Pathway for Lysine Synthesis in <i>Corynebacterium glutamicum</i> ," <i>J. Bacteriol.</i> 173:4510-4516, American Society for Microbiology (1991)

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	AR	12	Schrumpf, B., et al., "Isolation and prominent characteristics of an L-lysine hyperproducing strain of <i>Corynebacterium glutamicum</i> ," <i>Appl. Microbiol. Biotechnol.</i> 37:566-571, Springer-Verlag (1992)
	AS	12	Schwarzer, A., and Pühler, A., "Manipulation of <i>Corynebacterium Glutamicum</i> by Gene Disruption and Replacement," <i>Biotechnology</i> 9:84-87, Nature Publishing Co. (1991)
	AT	12	Selli, A., et al., "Regulation of Dihydrodipicolinate Synthase and Diaminopimelate Decarboxylase Activity in <i>Bacillus Stearotherophilus</i> ," <i>Ital. J. Biochem.</i> 43:29-35, Il Pensiero Scientifico (1994)

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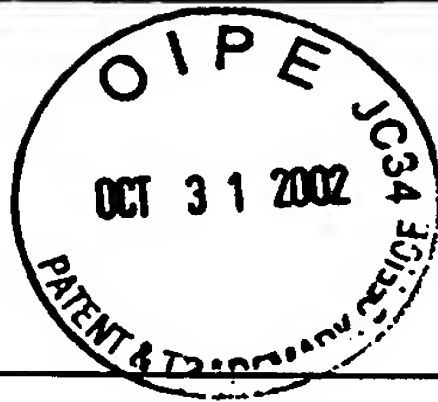
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	AR	<u>13</u>	Shio, I., et al., "Isolation and Properties of Lysine-producing Mutants with Feedback-resistant Aspartokinase Derived from a <i>Brevibacterium flavum</i> Strain with Citrate Synthase- and Pyruvate Kinase-defects and Feedback-resistant Phosphoenolpyruvate Carboxylase," <i>Agric. Biol. Chem.</i> 54:3275-3282, Japan Society for Bioscience, Biotechnology, and Agrochemistry (1990)
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	AT	<u>13</u>	Sonnen, H., et al., "Characterization of pGA1, a new plasmid from <i>Corynebacterium glutamicum</i> LP-6," <i>Gene</i> 107:69-74, Elsevier Science Publishers (1991)

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1533.2640001/MAC/M-GAPPLICATION NO.
10/067,974APPLICANT
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	14	Stragier, P., et al., "Regulation of Diaminopimelate Decarboxylase Synthesis in <i>Escherichia coli</i> ," <i>J. Mol. Biol.</i> 168:321-331, Academic Press (1983)
	AS	14	Yeh, P., et al., "General organization of the genes specifically involved in the diaminopimelate-lysine biosynthetic pathway of <i>Corynebacterium glutamicum</i> ," <i>Mol. Gen. Genet.</i> 212:105-111, Springer-Verlag (1988)
	AT	14	Yeh, P., et al., "Nucleotide sequence of the <i>lysA</i> gene of <i>Corynebacterium glutamicum</i> and possible mechanisms for modulation of its expression," <i>Mol. Gen. Genet.</i> 212:112-119, Springer-Verlag (1988)

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	AR	15	Yoshihama, M., et al., "Cloning Vector System for <i>Corynebacterium glutamicum</i> ," <i>J. Bacteriol.</i> 162:591-597, American Society for Microbiology (1985)
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	AT		

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